

REMARKS

In response to the Final Office Action mailed March 3, 2009, the new Assignee (i.e., Nuance Communications, Inc.) respectfully requests reconsideration. Claims 1, 2, 4 and 5 were previously pending in this application. By this amendment, claims 1, 2, 4 and 5 have been amended. Claims 21-32 are added. No claims have been canceled. As a result, claims 1, 2, 4, 5 and 21-32 are pending for examination with claims 1, 25 and 30 being independent. No new matter has been added.

I. Rejections Under 35 U.S.C. §112

The Office Action rejects claims 1, 2, 4 and 5 as allegedly failing to comply with the enablement requirement. In particular, the Office Action alleges that the limitation “the user does not pay for services provided by the personal computing system,” is not disclosed in the specification and renders other limitations contradictory. Without acceding to the correctness of the rejection, claim 1 has been amended to remove the above limitations to expedite allowance of the claims. Accordingly, the Assignee respectfully requests that the rejection under 35 U.S.C. §112 be withdrawn.

II. Rejections Under 35 U.S.C. §102

The Office Action rejects claims 1-2 and 4-5 under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent No. 6,243,445 (Begeja). The Assignee respectfully traverses the rejection. As argued in previous responses, the computing system recited in claim 1 is a personal computing system (e.g., in some embodiments, the personal computing system may be a computer residing in a user’s home and/or the user’s laptop computer). The Office Action asserts that because Begeja discloses that a “user calls into the system and manages personal email” (page 2 of the Office Action mailed October 30, 2008), Begeja therefore discloses a “personal computing system.” The Assignee respectfully asserts that one of ordinary skill in the art would not have understood the telephone-data network access device 102 of Begeja to be a personal computing system. Indeed, Begeja specifically states that the telephone-data network access device is not a personal computer. For example, in column 1, line 65 – column 2, line 7, Begeja states that:

By the above described techniques, callers who do not have access to devices such as a personal computer may access the data network and take advantage of the rich resources available through the data network. For example, callers may be traveling and not have access to a personal computer but wish to retrieve information from the network. In such circumstances, the telephone-data network access device provides the caller the ability to interface with the data network *without using a device such as a personal computer*. (Emphasis added).

Begeja explicitly states that the telephone-data network access device is *not* a personal computer. Accordingly, the Office Action's position that the telephone-data network access device 102 is a personal computing system is contradictory to the explicit teaching in Begeja. Thus, Begeja directly supports the Assignee's assertion that the telephone-data network access device is indeed not a personal computer, and therefore, Begeja fails to disclose or suggest a personal computing system that performs as recited in claim 1. Therefore, claim 1 patentably distinguishes over Begeja and is in allowable condition. Claims 2, 4, 5 and 21-24 depend from claim 1 and are allowable for at least the same reasons.

III. New Claims

A. Independent Claims

Claims 25 and 30 have been added as independent claims. Claim 25 recites at least one computer readable medium encoded with instructions that, when executed on at least one computer, perform a method having identical limitations as the method recited in claim 1. Therefore, claim 25 is allowable for at least the same reasons as discussed above in connection with claim 1. Claims 26-29 depend from claim 25 and are allowable for at least the same reasons.

Claim 30 recites a personal computing system for requesting information or services from at least one remote service server. As discussed above, Begeja does not disclose or suggest a "personal computing system" for requesting information or services from at least one remote service server, as recited in claim 30. Therefore, claim 30 patentably distinguishes over Begeja and is in allowable condition. Claims 31 and 32 depend from claim 30 and are allowable for at least the same reasons.

B. Dependent Claims

Dependent claims 21, 26 and 31 recite that “the personal computing system includes a home computer in the user’s home.” Support for this limitation can be found at least in paragraphs [0006] and [0021] of the application as filed (which correspond to paragraphs [0008] and [0023] of the published application).

Dependent claims 22 and 27 recite that “the personal computing system is owned by the user.” Support for this limitation can be found at least in paragraph [0006] of the application as filed (which corresponds to paragraph [0008] of the published application).

Dependent claims 23, 28 and 32 recite that “the personal computing system includes a portable computer.” Support for this limitation can be found at least in paragraph [0021] of the application as filed (which corresponds to paragraph [0023] of the published application).

Dependent claims 24 and 29 recite that “the user pays no fee to an owner of the personal computing system for access to the personal computing system.” Support for this limitation can be found at least in paragraphs [0005] and [0049] of the application as filed (which correspond to paragraphs [0007] and [0051] of the published application).

IV. General Comments on Dependent Claims

Since each of the dependent claims depends from a base claim that is believed to be in condition for allowance, for the sake of brevity, the Assignee believes that it is unnecessary at this time to argue the further distinguishing features of the dependent claims. However, the Assignee does not necessarily concur with the interpretation of the previously presented dependent claims as set forth in the Office Action, nor does the Assignee concur that the basis for rejection of any of the previously presented dependent claims is proper. Therefore, the Assignee reserves the right to specifically address the further patentability of the dependent claims in the future.


CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance to discuss any outstanding issues relating to the allowability of the application.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Assignee hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, the Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 23/2825, under Docket No. N0484.70562US00.

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Respectfully submitted,
Nuance Communications, Inc.

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